

ACCO,(PLAx),CLOSED,DISCOVERY,MANADR,STAYED

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)**  
**CIVIL DOCKET FOR CASE #: 2:16-cv-05142-RGK-PLA**

Bernie Owens v. Department of Veterans Affairs  
Assigned to: Judge R. Gary Klausner  
Referred to: Magistrate Judge Paul L. Abrams  
Cause: 05:552 Freedom of Information Act

Date Filed: 07/13/2016  
Date Terminated: 08/23/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Bernie R Owens**

represented by **Murray Kamionski**  
Law Offices of M Kamionski  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant****United States Department of Veterans Affairs**

represented by **Alarice M Medrano**  
AUSA – Office of US Attorney  
Civil Division  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/13/2016	<u>1</u>	COMPLAINT Receipt No: 0973-18176615 – Fee: \$400, filed by Owens, Bernie R. Bernie R Owens. (Attachments: # <u>1</u> Appendix, # <u>2</u> Civil Cover Sheet) (Attorney Murray Kamionski added to party Bernie R Owens(pty:pla))(Kamionski, Murray) (Entered: 07/13/2016)
07/15/2016	<u>2</u>	NOTICE OF ASSIGNMENT to District Judge R. Gary Klausner and Magistrate Judge Paul L. Abrams. (jtil) (Entered: 07/15/2016)
07/15/2016	<u>3</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (jtil) (Entered: 07/15/2016)
07/15/2016	<u>4</u>	NOTICE OF DEFICIENCIES in Attorney Case Opening RE: Complaint (Attorney Civil Case Opening) <u>1</u> . The following error(s) was found: No Notice of Interested Parties has been filed. A Notice of Interested Parties must be filed with every party's first appearance. See Local Rule 7.1-1. Counsel must file a Notice of Interested Parties immediately. Failure to do so may be addressed by judicial action, including sanctions. See Local Rule 83-7. The Civil Cover Sheet should have been filed a separate document, and not as an attachment to the complaint. (jtil) (Entered: 07/15/2016)
07/15/2016	<u>5</u>	NOTICE of Interested Parties filed by Plaintiff Bernie R Owens, (Kamionski, Murray) (Entered: 07/15/2016)
08/22/2016	<u>6</u>	DECLARATION re Complaint (Attorney Civil Case Opening) <u>1</u> <i>Proof of Service</i> filed by Plaintiff Bernie R Owens. (Kamionski, Murray) (Entered: 08/22/2016)

09/19/2016	<u>7</u>	STANDING ORDER REGARDING NEWLY ASSIGNED CASES by Judge R. Gary Klausner. See Order for details. (sw) (Entered: 09/19/2016)
09/19/2016	<u>8</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening) <u>1</u> filed by Plaintiff Bernie R Owens. (Kamionski, Murray) (Entered: 09/19/2016)
09/20/2016	<u>9</u>	60 DAY Summons Issued re Complaint (Attorney Civil Case Opening) <u>1</u> as to Defendant United States Department of Veterans Affairs. (bp) (Entered: 09/20/2016)
09/23/2016	<u>10</u>	AMENDED DOCUMENT filed by Plaintiff Bernie R Owens. Amendment to Declaration <u>6</u> (Kamionski, Murray) (Entered: 09/23/2016)
11/21/2016	<u>11</u>	STIPULATION Extending Time to Answer the complaint as to United States Department of Veterans Affairs answer now due 12/19/2016, re Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant United States Department of Veterans Affairs.(Attorney Alarice M Medrano added to party United States Department of Veterans Affairs(pty:dft))(Medrano, Alarice) (Entered: 11/21/2016)
12/15/2016	<u>12</u>	STIPULATION for Extension of Time to File Answer to 01/18/2017 re Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant United States Department of Veterans Affairs. (Attachments: # <u>1</u> Proposed Order)(Medrano, Alarice) (Entered: 12/15/2016)
12/19/2016	<u>13</u>	ORDER FURTHER EXTENDING THE TIME FOR DEFENDANT TO ANSWER, PLEAD OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT, granting Stipulation to Extend Time to Answer (More than 30 days) <u>12</u> , Defendant United States Department of Veterans Affairs answer due 1/18/2017 by Judge R. Gary Klausner (bp) (Entered: 12/20/2016)
12/19/2016	<u>14</u>	ORDER FURTHER EXTENDING THE TIME FOR DEFENDANT TO ANSWER, PLEAD OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT, granting Stipulation to Extend Time to Answer (More than 30 days) <u>12</u> . IT IS SO ORDERED that Defendant, United States Department of Veterans Affairs, shall have to and including January 8, 2017, to answer, plead or otherwerwise respond to Plaintiff's Complaint, by Judge R. Gary Klausner (bp) (Entered: 12/21/2016)
01/10/2017	<u>15</u>	ANSWER to Complaint (Attorney Civil Case Opening) <u>1</u> <i>Defendant's Answer to Complaint</i> filed by Defendant United States Department of Veterans Affairs.(Medrano, Alarice) (Entered: 01/10/2017)
01/12/2017	<u>16</u>	ORDER SETTING SCHEDULING CONFERENCE by Judge R. Gary Klausner:A Scheduling Conference has been placed on calendar for April 3, 2017 at 9:00 a.m. The Conference will be held pursuant to F.R.Civ. P. 16(b). Trial counsel must be present and there are no telephonic appearances. Counsel are ordered to file a joint statement providing a brief factual summary of the case, including the claims being asserted. The parties are reminded of their obligations to disclose information and confer on a discovery plan not later than 21 days prior to the scheduling conference, and to file a joint statement with the Court not later than 14 days after they confer, as required by F.R. Civ.P. 26 and the Local Rules of this Court. Failure to comply may lead to the imposition of sanctions. Plaintiffs counsel is directed to give notice of the scheduling conference to each party that makes an initial appearance in the action after this date. (cr) (Entered: 01/12/2017)
02/22/2017	<u>17</u>	Effective March 1, 2017, Judge Abrams will be located at the Edward R. Roybal Federal Building, COURTROOM 780 on the 7th floor, located at 255 East Temple Street, Los Angeles, California 90012. All Court appearances shall be made in Courtroom 780 of the Roybal Federal Building, and all mandatory chambers copies shall be hand delivered to the judge's mail box located outside the Clerk's Office on the 1st floor of the Roybal Federal Building. The location for filing civil documents in paper format exempted from electronic filing and for viewing case files and other records services remains at the United States Courthouse, 312 North Spring Street, Room G-8, Los Angeles, California 90012. The location for filing criminal documents in paper format exempted from electronic filing remains at the Roybal Federal Building, 255 East Temple Street, Room 178, Los Angeles, California 90012. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rrp) TEXT ONLY ENTRY (Entered: 02/22/2017)

03/27/2017	<u>18</u>	JOINT REPORT Rule 26(f) Discovery Plan filed by Defendant United States Department of Veterans Affairs.. (Attachments: # <u>1</u> Exhibit A)(Medrano, Alarice) (Entered: 03/27/2017)
04/03/2017	<u>19</u>	MINUTES OF Scheduling Conference held before Judge R. Gary Klausner. Case called. Court and counsel confer. The Scheduling Conference is held and the Court sets the following dates: Defendant's Motion for Summary Judgment due: June 26, 2017. Plaintiff's Cross Motion for Summary Judgment, Opposition to Defendant's Motion, and Motion to Allow Discovery due: July 24, 2017. Replies due: August 21, 2017. Court Trial/Argument (in necessary): September 12, 2017 at 9:00 a.m. IT IS SO ORDERED. Court Reporter: Sandra MacNeil. (jy) (Entered: 04/03/2017)
04/04/2017	<u>20</u>	ORDER RE COURT TRIAL by Judge R. Gary Klausner. (psa) (Entered: 04/04/2017)
06/26/2017	<u>21</u>	NOTICE OF MOTION AND MOTION for Summary Judgment ; <i>Memorandum of Points and Authorities; Declaration of John W. Scott and Ex. A Thereto; and Declaration of Emmett O'Meara and Ex. A Thereto</i> filed by Defendant United States Department of Veterans Affairs. Motion set for hearing on 9/12/2017 at 09:00 AM before Judge R. Gary Klausner. (Attachments: # <u>1</u> Separate Statement of Undisputed Facts, # <u>2</u> Declaration of John W. Scott, # <u>3</u> Exhibit A – DMC 10/24/16 FOIA Response, # <u>4</u> Declaration of Emmett O'Meara, # <u>5</u> Exhibit A – LARO 5/26/17 FOIA Response, # <u>6</u> Proposed Judgment) (Medrano, Alarice) (Entered: 06/26/2017)
07/24/2017	<u>22</u>	NOTICE OF MOTION AND MOTION for Summary Judgment as to Claim asserting violation of the Freedom of Information Act ("FOIA") by the United States Department of Veteran Affairs filed by Plaintiff Bernie R Owens. Motion set for hearing on 9/12/2017 at 09:00 AM before Judge R. Gary Klausner. (Kamionski, Murray) (Entered: 07/24/2017)
07/24/2017	<u>23</u>	NOTICE OF MOTION AND MOTION for Discovery regarding Plaintiff's requests that the Court deny Defendant's motion for summary judgment and permit limited discovery. filed by Plaintiff Bernie R Owens. Motion set for hearing on 7/12/2017 at 09:00 AM before Judge R. Gary Klausner. (Kamionski, Murray) (Entered: 07/24/2017)
07/24/2017	<u>24</u>	Opposition Opposition re: NOTICE OF MOTION AND MOTION for Summary Judgment ; <i>Memorandum of Points and Authorities; Declaration of John W. Scott and Ex. A Thereto; and Declaration of Emmett O'Meara and Ex. A Thereto</i> <u>21</u> filed by Plaintiff Bernie R Owens. (Attachments: # <u>1</u> Exhibit EXHIBIT A, # <u>2</u> Exhibit EXHIBIT B – PART 1, # <u>3</u> Exhibit EXHIBIT B – PART 2, # <u>4</u> Exhibit EXHIBIT B – PART 3, # <u>5</u> Exhibit EXHIBIT C, # <u>6</u> Exhibit EXHIBIT D, # <u>7</u> Exhibit EXHIBIT E)(Kamionski, Murray) (Entered: 07/24/2017)
07/24/2017	<u>25</u>	DECLARATION of Murray Kamionski filed by Plaintiff Bernie R Owens. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B– PART 1, # <u>3</u> Exhibit B – PART 2, # <u>4</u> Exhibit B – PART 3, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E)(Kamionski, Murray) (Entered: 07/24/2017)
07/24/2017	<u>26</u>	OBJECTIONS and Response filed by Plaintiff Bernie R Owens. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit E)(Kamionski, Murray) (Entered: 07/24/2017)
07/26/2017	<u>27</u>	NOTICE OF ERRATA filed by Plaintiff Bernie R Owens. correcting MOTION for Discovery regarding Plaintiff's requests that the Court deny Defendant's motion for summary judgment and permit limited discovery. <u>23</u> (Attachments: # <u>1</u> Exhibit A)(Kamionski, Murray) (Entered: 07/26/2017)
07/26/2017	<u>28</u>	NOTICE OF MOTION AND Corrected MOTION for Discovery regarding Plaintiff's requests that the Court deny Defendant's motion for summary judgment and permit limited discovery. filed by Plaintiff Bernie R Owens. Motion set for hearing on 9/12/2017 at 09:00 AM before Judge R. Gary Klausner. (Kamionski, Murray) (Entered: 07/26/2017)
08/20/2017	<u>29</u>	NOTICE Suggestion of Death filed by plaintiff Bernie R Owens. (Kamionski, Murray) (Entered: 08/20/2017)
08/22/2017	<u>30</u>	STIPULATION to Vacate HEARING ON CROSS MOTIONS FOR SUMMARY JUDGMENT/COURT TRIAL Notice (Other) <u>29</u> AND STAY THIS ACTION FOR 120 DAYS BASED ON NOTICE OF SUGGESTION OF DEATH filed by Defendant United

		States Department of Veterans Affairs. (Attachments: # <u>1</u> Proposed Order)(Medrano, Alarice) (Entered: 08/22/2017)
08/23/2017	<u>31</u>	ORDER GRANTING STIPULATION VACATING THE HEARING ON CROSS MOTIONS FOR SUMMARY JUDGMENT/COURT TRIAL AND STAYING THIS ACTION <u>30</u> by Judge R. Gary Klausner: The Court Trial and hearing on Cross Motions for Summary Judgment, currently set for September 12, 2017, at 9:00 a.m., is hereby vacated. IT IS FURTHER ORDERED that this action is stayed for 120 days. (MD JS-6. Case STAYED) (ah) (Entered: 08/23/2017)